

## REMARKS

### Summary Of Office Action

Claims 1-14 were pending in this application.

The Examiner rejected claims 1-14 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

The Examiner also rejected claims 1-5 and 14 under 35 U.S.C. § 102(b) as being anticipated by Boros, Multimedia White Paper, December 1999 (hereinafter "Boros").

The Examiner also rejected claims 1-14 under 35 U.S.C. § 103(a) as being obvious in view of Boros.

### Summary Of Applicant's Reply

Applicant has amended independent claims 1, 8, and 14, and dependent claims 2, 5-7, and 9-13 to more particularly define applicant's invention. Applicant has also added dependent claims 15-20.

The Examiner's rejections are respectfully traversed.

### Summary Of Telephonic Interview

On March 27, 2006, the undersigned, on behalf of the applicant, had a telephone conversation with the Examiner regarding the § 112 rejection and the §§ 102 and 103 rejections. The undersigned and the Examiner discussed the indefiniteness the language "permanently affixing" introduced into the claims in the March 3, 2005 Amendment.

The Examiner indicated that the feature "electronically readable media" should be drafted to more directly relate to those embodiments the applicant views as his invention. For example, specific embodiments of the electronically readable media such as an optical bar code, a

magnetic strip, or an embedded computer chip should be enumerated in the claims. The Examiner admitted that if the claims were amended as suggested, the claims would be allowable over the prior art of record. The Examiner indicated, however, that a new search would need to be performed before allowing the claims.

The undersigned thanks the Examiner for the courtesies extended during the telephone call.

### Applicant's Reply

#### I. The § 112 Rejection

The Office Action rejected claims 1-14 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. In particular, the Office Action contends that the limitation "permanently affixing" is indefinite. (See Office Action, p.2).

Although applicant takes no position as to whether the above claim language is indefinite, applicant has amended independent claims 1, 8, and 14 to more particularly define applicant's invention. Namely, applicant has amended each independent claim such that the at least one electronically readable medium is "affixed" (i.e., not "permanently affixed") and that the electronically readable medium "comprises at least one of an optical bar code, a magnetic strip, and an embedded computer chip."

Accordingly, applicant respectfully submits that independent claims 1, 8, and 14 particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully requests, therefore, that the rejection under 35 U.S.C. § 112, second paragraph, be withdrawn.

## II. The § 102 Rejection

Claims 1-5 and 14 were rejected under 35 U.S.C. § 102(b) as being anticipated by Boros.

The Office Action contends that Boros shows financial prospectuses being distributed via the Internet as well as in paper form. The Office Action further contends that Boros shows distributing prospectuses via a CD-ROM. (See Office Action, p. 3).

Regardless of what Boros shows, applicant respectfully submits that there is no showing or suggestion in the prior art of affixing "at least one of an optical bar code, a magnetic strip, and an embedded computer chip" to a printed financial prospectus as featured by applicant's independent claims 1 and 14. At best, Boros and the other prior art of record show the distribution of a financial prospectus via a CD-ROM separate from or along with a printed financial prospectus. Boros, for example, describes distributing electronic prospectuses "via the Internet or other computer networks, CD-ROM and floppy disc." (See Boros, p. 9). Since Boros fails to show an optical bar code, a magnetic strip, or an embedded computer chip affixed to a printed financial prospectus, Boros does not show all of applicant's claimed features. Accordingly, applicant submits that the rejection of independent claims 1 and 14, and claims 2-5, which depend therefrom, under 35 U.S.C. § 102(b) should be withdrawn.

## III. The § 103 Rejection

Claims 1-14 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Boros.

As shown above with respect to the § 102 rejection, there is no showing or suggestion in Boros of storing prospectus

data on an optical bar code, a magnetic strip, or an embedded computer chip and affixing these forms of media to a printed financial prospectus.

Moreover, the Office Action concedes that Boros is silent as to encryption, summary formats, and standardization. (See Office Action, pp. 3 and 4). Rather than provide documentary evidence to support the 35 U.S.C. § 103(a) rejection, the Examiner takes official notice that these features are "well known." *Id.* Applicant respectfully traverses this assertion because the Examiner has provided no substantial evidence that these features are well-known. Accordingly, applicant submits that the Office Action has failed to establish a *prime facie* case of obviousness.

For the above reasons, applicant submits that independent claims 1, 8, and 14, and claims 2-7 and 9-13, which depend therefrom, are not obvious in view of Boros. Applicant respectfully requests, therefore, that the 35 U.S.C. § 103(a) rejection be withdrawn.

#### IV. New Claims 15-20

Applicant has added new claims 15-20 to more particularly define applicant's invention. Support for these claims may be found on pages 2-6 of applicant's specification. These claims depend from independent claim 1 and further limit the method of claim 1. Therefore, applicant submits that new claims 15-20 are allowable for at least the same reasons as independent claim 1. Moreover, the prior art of record wholly fails to show or suggest printing at least one bar code (claim 15), incorporating at least one magnetic strip (claims 16), or embedding at least one embedded computer chip (claim 17) into a financial prospectus. For at least these reasons, applicant

respectfully submits that claims 15-20 are allowable over the prior art of record.

Conclusion

The foregoing demonstrates that claims 1-20 are allowable. This application is therefore in condition for allowance. Reconsideration and allowance are accordingly respectfully requested.

Respectfully submitted,



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